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BEFORE THE ARIZONA STATE BOARD OF  
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

In the Matter of:

EDWARD FREMER, D.O.  
Holder of License No. 2925  
For the Practice of Osteopathic  
Medicine and Surgery in the  
State of Arizona.

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**STIPULATION AND CONSENT ORDER FOR  
SUSPENSION OF LICENSE**

**STIPULATION**

By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners (hereafter "Board") and Edward Fremer, D.O. (hereinafter "Respondent"), agree to the following disposition of the matter.

1. Respondent acknowledges that he has read this Stipulation and the attached Consent Order; and, Respondent is aware of and understands the content of these documents.
2. Respondent understands that by entering into this Stipulation, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action or to seek judicial review of the consent order in state or federal court.
3. Respondent understands that this Stipulation and Consent Order will not become effective unless approved by the Board and signed by its Executive Director.
4. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public record that will be disseminated as a formal action of the Board.

5. Respondent admits to the statements of fact and conclusions of law contained in the Stipulated Consent Order.

6. All admissions made by Respondent are solely for current disposition of this matter; and, therefore, said admissions by Respondent are not intended for any other purpose or administrative regulatory proceeding or litigation in another state or federal court.

7. Respondent acknowledges and agrees that upon signing and returning this document (or a copy thereof) to the Board's Executive Director, he may not later revoke or amend this Stipulation or any part of the Consent Order, even though they have not yet been accepted by the Board and issued by its Executive Director, without first obtaining Board approval.

REVIEWED AND ACCEPTED this 29 day of April, 1999.

Edward M. Fremer NO  
Edward Fremer, D.O.

STATE OF ARIZONA     )  
County of Mohave     )  
                                  )  
County of Maricopa     )

ss

The above-named individual acknowledged this instrument before me this 29 day of April, 1999.

Kathleen Sperando  
Notary Public

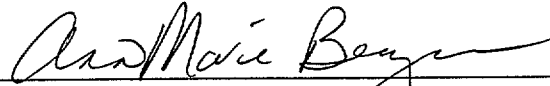
My Commission expires:

Approved as to form by legal counsel:

Kraig Marton, Esq.



REVIEWED and SIGNED this 6th day of <sup>May</sup>~~April~~, 1999



Ann Marie Berger, Executive Director  
Arizona Board of Osteopathic Examiners in  
Medicine and Surgery

BEFORE THE ARIZONA BOARD OF  
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

**RECEIVED**

MAY 05 1999

ARIZONA BOARD OF  
OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY

IN THE MATTER OF: )  
 )  
EDWARD FREMER, D.O. )  
Holder of License No. 2925 for the )  
practice of osteopathic medicine in the )  
State of Arizona. )  
\_\_\_\_\_ )

**CONSENT ORDER FOR  
SUSPENSION OF LICENSE**

**FINDINGS OF FACT**

1. The Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") is empowered, pursuant to A.R.S. § 32-1800, et seq. to regulate the licensing and practice of osteopathic medicine in the State of Arizona.

2. Edward Fremer, D.O. (hereinafter "Respondent") is a licensee of the Board and the holder of License No. 2925.

3. On April 10, 1999, Respondent agreed to voluntarily withdraw from the practice of medicine because he was not currently competent to practice medicine due to his existing medical conditions based on psychiatric and psychological evaluations.

4. On April 10, 1999, the Board held a public meeting at which Respondent was present and represented by legal counsel, Kraig Marton. After discussion and deliberation, the Board voted to issue the Stipulated Consent Order for Suspension based on the Respondent's psychiatric and psychological reports as well as allegations of unprofessional conduct.

**CONCLUSIONS OF LAW**

1. Pursuant to A.R.S. § 32-1800, et seq., the Board has subject matter and personal

jurisdiction in this matter.

2. Pursuant to A.R.S. §§ 32-1855 and 32-1854(6) the Board finds that Respondent is currently mentally and medically unable to safely engage in the practice of medicine.

3. Pursuant to A.R.S. §§ 32-1855(C) and 41-1064(C), the Board has the authority to enter into a Stipulated Consent Order for the suspension of a license because the public health, safety or welfare imperatively requires this emergency action.

4. Based upon the Findings of Fact set forth above, the Board concludes that the requisite factual and legal basis exist to order suspension of Respondent's license.

### **ORDER**

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Respondent's Board License Number 2925 for the practice of osteopathic medicine and surgery in the State of Arizona is hereby suspended beginning on April 10 1999. Respondent also agrees to withdraw from the practice of medicine from all states and jurisdiction of the United States while this order is in effect.

2. During the period of suspension, Respondent shall obtain an IME performed by a physician ("IME Physician") as determined by the Board's Executive Director, to determine the mental status of Respondent to determine his competency to practice medicine.

3. Respondent's IME physician shall receive a copy of this Order and Board Staff shall cooperate with and disclose all relevant information in the Board's files concerning Respondent to the IME physician. The Board's Executive Director and the Respondent shall direct the IME physician to send the written medical evaluation regarding Respondent's health directly to the Board as soon as possible after the evaluation. The Board shall immediately mail and fax a copy of the

evaluation to Respondent and his attorney upon receipt at the Board's office. The expense of the aforementioned evaluation and the reports to the Board by Respondent's treating IME physician shall be billed to the Board.

4. This Stipulated Consent Order does not prevent the Board from taking further disciplinary action against Respondent in the future if:

(A) The Board finds that Respondent does not have the requisite mental, physical and emotional fitness to safely continue the practice of medicine; or,

(B) There are new grounds for finding unprofessional conduct concerning Respondent; or

(C) Respondent practices medicine while his license is suspended; or

(D) Respondent fails to comply fully with the terms and conditions of this Order.

5. Respondent shall also, as part of his suspension: (A) submit to and cooperate in any independent medical or psychological evaluation the Board may order for Respondent to be conducted by the Board's designated physician and/or psychologist, which shall be paid for by the Board; (B) appear before the Board for regular scheduled meetings, upon receipt of a request by written or telephonic notification from the Board's Executive Director which shall be given at least five (5) days prior to the Board meeting; and (C) appear before the Board for an emergency meeting upon statutory notice as required or necessary.

6. The Board also suspends Respondent's prescription writing authority for the duration of this Order and until the Board reinstates Respondent's osteopathic medical license.

7. Respondent shall continue to meet all licensing requirements such as continuing

medical education and renewal requirements, including applicable fees, pursuant to A.R.S. § 32-1825.

8. Respondent shall continue to meet all the requirements issued in his former Board Order dated March 25, 1998.

9. Respondent shall submit to random biological fluid testing and promptly provide (i.e., at a Board designated location and within sixty (60) minutes of notification by Board Executive Director or designated staff member) required biological fluids for testing and testing shall be done at the Respondent's expense.

10. In the event Respondent ceases to reside in the State of Arizona, he shall give written notice to the Board of his new residence address within twenty (20) days of moving; and, the terms and duration of probation shall be stayed until Respondent returns to Arizona.

11. Respondent shall reimburse the Board for all expenses directly incurred in connection with the investigation, hearing and continued monitoring of this matter within thirty (30) days of receipt of a bill/statement of costs from the Board's Executive Director or designated staff member.

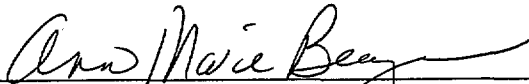
12. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be considered as grounds for further disciplinary action (e.g., suspension or revocation of license).

13. Should Respondent wish to request reinstatement of License 2925 to be placed under his probationary order he shall provide proof of his fitness to engage in the practice of medicine. The Board may wish to consider all matters related to the allegation of unprofessional conduct and fitness of respondent at the time of request for reinstatement of license.



EFFECTIVE this 10th day of April, 1999.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY

  
Ann Marie Berger, Executive Director

Served by sending U.S. certified mail  
this 6 day of ~~April~~, 1999 to:  
*May*

Edward Fremer, D.O.  
1895 Corwin Rd.  
Bullhead City, AZ 86442

And  
P.O. Box 8369  
Fort Mohave AZ 86427

Copy mailed this 6 day of  
~~April~~, 1999 to:  
*May*

Kraig Marton, Esq.  
817 N. 2nd St.  
Phoenix AZ 850044

Arizona Board of Pharmacy  
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Phoenix AZ 85015

Drug Enforcement Agency  
3010 N. 2nd St.  
Phoenix AZ 85012

Blair Driggs  
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